

JOHN D. LEWIS, ESQ.
ATTORNEY FOR DEFENDANT
L.A.C.A. STATE OF NEW YORK, INC.
7420 Ridge Blvd. #3C
Brooklyn, New York 11209
718-833-0509/917-378-2257
FAX No. 718-833-1454

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

08 Civ. 4536

UNITED STATES OF AMERICA,

Plaintiff,

NOTICE OF APPEARANCE AND VERIFIED
ANSWER

-v-

L.A.C.A. STATE OF NEW YORK, INC.

Defendant,

X

Defendant, L.A.C.A. STATE OF NEW YORK, INC., by and through its attorney, John D. Lewis, Esq., appears and responds to the allegations in the Plaintiff's Complaint as follows:

1. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraphs "1", "2", "3", "4", "6", "7", "13", "14", "16", "17", & "18".

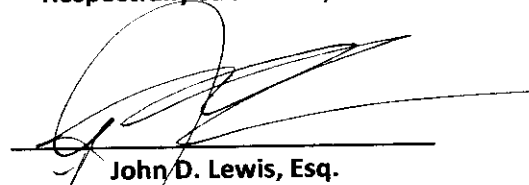
FIRST AFFIRMATIVE DEFENSE

2. This Defendant acted in good faith by reducing its frequency as to not to interfere with any other frequency to a licensed FCC radio station constituting the violations or cause of action asserted against Defendant under Sections 0.111, 0.311 and 1.80 of the Commission's Rules, 47 C.F.R. sec. 1.903.

WHEREFORE, Defendant demands judgment in its favor dismissing the complaint as against it together with all other and further relief that the Court may deem just and proper.

Dated: Brooklyn, New York
June 17, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John D. Lewis', is written over a horizontal line.

John D. Lewis, Esq.
Attorney for Defendant
L.A.C.A. STATE OF NEW YORK, INC.
7420 Ridge Blvd., #3C
Brooklyn, New York 11209
718-833-0509/917-378-2257
FAX No.: 718-833-1454

To: Kathleen A. ZEBROWSKI
Assistant U.S. Attorney
86 Chambers St.
New York, NY 10007
212-637-2710

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF BRONX)

Bishop Fernando Rodriguez, being duly sworn, deposes and says, that deponent the President of the named Defendant in the within action; has read the forgoing NOTICE OF APPEARANCE AND VERIFIED ANSWER and knows the contents thereof; the same is true to deponent's own knowledge, except as to those matters said to be upon information and belief and as to those matters deponent believes it to be true.


Bishop Fernando Rodriguez

Sworn to before me this
18th day of June, 2008


Notary Public

JOHN D. LEWIS
Notary Public, State of New York
No. 02LE6041646
Qualified in Kings County
Commission Expires May 08, 2012